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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 MICHAEL E. DAVIS, aka TONY DAVIS,
VINCE FERRAGAMO, and BILLY JOE
22 DUPREE, on behalf of themselves and all
others similarly situated,

23 Plaintiffs,

24 vs.

25 ELECTRONIC ARTS INC.,

26 Defendant.
27

CASE NO. 10-cv-3328 RS

**STIPULATED REQUEST TO CHANGE
TIME OF CASE MANAGEMENT
CONFERENCE PURSUANT TO CIVIL
L.R. 6-2 AND [PROPOSED] ORDER**

CMC date: December 9, 2010
Time: 10:00 a.m.
Crtrm.: Courtroom 3, 17th Floor
Judge: The Honorable Richard Seeborg

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10-cv-3328 RS

STIPULATED REQUEST TO CHANGE TIME PURSUANT TO CIVIL L.R. 6-2 AND ORDER

1 WHEREAS, Plaintiff Michael Davis (aka Tony Davis) filed the Complaint in this action
2 against defendant Electronic Arts Inc. ("EA") on July 29, 2010; and

3 WHEREAS, Plaintiffs Michael E. Davis aka Tony Davis, Vince Ferragamo, and Billy Joe
4 Dupree, (collectively, “Plaintiffs”) filed the First Amended Complaint on November 8, 2010; and

5 WHEREAS, EA was served with the Complaint and First Amended Complaint on
6 November 10, 2010; and

7 WHEREAS, Plaintiffs have agreed to grant an extension of time for EA to respond to the
8 First Amended Complaint to January 6, 2011; and

9 WHEREAS, a case management conference is currently set for December 9, 2010 at 10:00
10 a.m.; and

11 WHEREAS, the parties believe that it would be most convenient and efficient to continue
12 the case management conference and associated deadlines;

13 THEREFORE, the parties hereby stipulate as follows:

Stipulation

15 1. Plaintiffs and EA, by and through their undersigned counsel, hereby stipulate and
16 respectfully request a continuance of the Case Management Conference scheduled for December
17 9, 2010 at 10:00 a.m. until January 27, 2011 at 10:00 a.m. or as soon as practicable thereafter as
18 the availability of the Court's calendar permits.

19 2. The reason for the requested change of time for the Case Management Conference is
20 that a First Amended Complaint was recently filed by Plaintiffs on November 8, 2010, and served
21 on EA on November 10, 2010. Plaintiffs have agreed to grant an extension of time for EA to
22 respond to the First Amended Complaint to January 6, 2011, to accommodate the calendar and
23 holiday schedule of counsel for EA. Therefore, in the interest of mutual convenience to the parties
24 and the Court, the parties believe that it is prudent to continue the Case Management Conference
25 and associated deadlines.

26 3. No other time modifications by stipulation have been requested in this matter. The
27 Court had previously ordered that the Case Management Conference be continued from November
28 18, 2010 to December 9, 2010. No other time modifications have been ordered by the Court.

1 4. The effect of this requested time modification would be to move the deadlines for the
2 exchange of initial disclosures under Federal Rule of Civil Procedure 26(a)(1), the conference of
3 the parties under Federal Rule of Civil Procedure 26(f), and the submission of the Federal Rule of
4 Civil Procedure 26(f) Joint Statement. The time modification would also postpone the date on
5 which the parties may commence discovery under Federal Rule of Civil Procedure 26(d)(1).

6 5. Both parties agree to the stipulation as indicated by their signatures below. The parties
7 respectfully request that the Court approve the stipulation, pursuant to Civil L.R. 6-2 and enter an
8 Order thereupon. A form of Proposed Order is filed herewith.

9

10 Brian D. Henri, the filer of this stipulation, pursuant to General Order No. 45, Electronic
11 Case Filing, Section 10(b), hereby attests that R. James Slaughter concurs in the filing of this
12 stipulation.

13

14 Respectfully submitted,

15 DATED: November 18, 2010

THOMAS WHITELAW & TYLER, LLP

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17 By: /S/ BRIAN D. HENRI

18 BRIAN D. HENRI

19 Attorneys for Plaintiffs Michael Davis, Vince
Ferragamo, and Billy Joe DuPree

20

DATED: November 18, 2010

KEKER & VAN NEST LLP

21

22 By: /S/ R. JAMES SLAUGHTER

23 R. JAMES SLAUGHTER

24 Attorneys for Defendant Electronic Arts Inc.

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1 **[PROPOSED] ORDER**

2 The Court having considered the above joint request, and good cause appearing therefore,
3 HEREBY ORDERS that the scheduled Case Management Conference date of December 9, 2010
4 is vacated, and shall be rescheduled for January 27, 2011.

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6 DATED: November 22, 2010

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8 Judge Richard Seeborg
9 UNITED STATES DISTRICT JUDGE

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10-cv-3328 RS

STIPULATED REQUEST TO CHANGE TIME PURSUANT TO CIVIL L.R. 6-2 AND ORDER